

Senate Engrossed

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

CHAPTER 146
SENATE BILL 1254

AN ACT

AMENDING SECTION 15-184, ARIZONA REVISED STATUTES; REPEALING SECTION 15-816.02, ARIZONA REVISED STATUTES; RELATING TO SCHOOL ADMISSION POLICIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-184, Arizona Revised Statutes, is amended to
3 read:

4 15-184. Charter schools; admissions requirements

5 A. A charter school shall enroll all eligible pupils who submit a
6 timely application, unless the number of applications exceeds the capacity
7 of a program, class, grade level or building.

8 B. A charter school shall give enrollment preference to pupils
9 returning to the charter school in the second or any subsequent year of
10 its operation and to siblings of pupils already enrolled in the charter
11 school.

12 C. A charter school may give enrollment preference to children who
13 are in foster care or meet the definition of unaccompanied youth
14 prescribed in the McKinney-Vento homeless assistance act (42 United States
15 Code section 11434a).

16 D. A charter school may give enrollment preference to and reserve
17 capacity for pupils who either:

18 1. Are children, grandchildren or legal wards of any of the
19 following:

20 (a) Employees of the school.

21 (b) Employees of the charter holder.

22 (c) Members of the governing body of the school.

23 (d) Directors, officers, partners or board members of the charter
24 holder.

25 2. Attended another charter school or are the siblings of that
26 pupil if the charter school previously attended by the pupil has the
27 identical charter holder, board and governing board membership as the
28 enrolling charter school or is managed by the same educational management
29 organization, charter management organization or educational service
30 provider as determined by the charter authorizer.

31 E. If remaining capacity is insufficient to enroll all pupils who
32 submit a timely application, the charter school shall select pupils
33 through an equitable selection process such as a lottery except that
34 preference shall be given to siblings of a pupil selected through an
35 equitable selection process such as a lottery.

36 F. Except as provided in subsections A through D of this section, a
37 charter school shall not limit admission based on ethnicity, national
38 origin, gender, income level, disabling condition, proficiency in the
39 English language or athletic ability.

40 G. A charter school may limit admission to pupils within a given
41 age group or grade level.

42 H. A charter school may provide instruction to pupils of a single
43 gender with the approval of the sponsor of the charter school. An
44 existing charter school may amend its charter to provide instruction to
45 pupils of a single gender, and if approved by the sponsor of the charter

1 school, may provide instruction to pupils of a single gender at the
2 beginning of the next school year.

3 ~~I. A charter school shall admit pupils who reside in the attendance~~
4 ~~area of a school or who reside in a school district that is under a court~~
5 ~~order of desegregation or that is a party to an agreement with the United~~
6 ~~States department of education office for civil rights directed toward~~
7 ~~remediating alleged or proven racial discrimination unless notice is~~
8 ~~received from the resident school that the admission would violate the~~
9 ~~court order or agreement. If a charter school admits a pupil after notice~~
10 ~~is received that the admission would constitute such a violation, the~~
11 ~~charter school is not allowed to include in its student count the pupils~~
12 ~~wrongfully admitted.~~

13 ~~¶~~ I. A charter school may refuse to admit any pupil who has been
14 expelled from another educational institution or who is in the process of
15 being expelled from another educational institution.

16 Sec. 2. Repeal

17 Section 15-816.02, Arizona Revised Statutes, is repealed.

APPROVED BY THE GOVERNOR APRIL 10, 2017

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2017.

Passed the House April 5, 2017,

Passed the Senate February 13, 2017,

by the following vote: 33 Ayes,

by the following vote: 29 Ayes,

24 Nays, 3 Not Voting

1 Nays, 0 Not Voting

Mark R. Eyring

Speaker of the House

Pro Tempore

Jim Dabe

Chief Clerk of the House

Thesko

President of the Senate

Pro Tempore

Susan Owens

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

6th day of April, 2017,

at 10:44 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 10th day of

April, 2017,

at 10:49 o'clock A. M.

[Signature]

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 10 day of April, 2017,

at 5:13 o'clock P M.

Michelle Reagan

Secretary of State

S.B. 1254